

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JOHN L. PERRY,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. 2:07-cv-779

CRIM. NO. 2:05-cr-245

JUDGE HOLSCHUH

MAGISTRATE JUDGE ABEL

OPINION AND ORDER

On January 5, 2008, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. §2255 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, and although petitioner was granted an extension of time to file his objections, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

Date: March 9, 2009

/s/ John D. Holschuh  
JOHN D. HOLSCHUH  
United States District Judge